

**SUPREME COURT MINUTES  
THURSDAY, SEPTEMBER 9, 1999  
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on September 9, 1999, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegarr, Chin, and Brown.

Officers present: Robert Wandruff, Clerk; and Harry Kinney, Bailiff.

S072583      Adrian Broughton et al., Respondents

v.

Cigna Healthplans of California et al., Appellants

Cause called. Daniel J. Gonzalez argued for Appellants.

Christopher E. Angelo argued for Respondent.

Mr. Gonzalez replied.

Cause submitted.

S070028      People, Respondent

v.

Andrew James Allen, Appellant

Cause called. Barbara Michel argued for Appellant.

Shannon Chase, Deputy Attorney General, argued for Respondent.

Ms. Michel replied.

Cause submitted.

Justice Brown, not participating in consideration of the following case, did not take the bench.

The Honorable Margaret M. Grignon, Associate Justice, Court of Appeal, Second Appellate District, Division Five, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S063313 Robert S. Caulk et al., Petitioners

v.

Sacramento County Superior Court; Respondent

Mary Guimbellot et al., Real Parties in Interest

Cause called. Richard A. Rothschild argued for Real Parties in Interest.

Michele Bach, Supervising Deputy County Counsel, argued for Respondent.

Mr. Rothschild replied.

Cause submitted.

Court recessed until 1:30 p.m.

Court reconvened pursuant to recess.

Justice Grignon, not participating in the following matters, departs the bench. The Court is rejoined at the bench by Justice Brown. All other officers were present as before shown.

S068840 People, Respondent

v.

Javier Francisco Zermeno, Appellant

Cause called. Marcia C. Levine argued for Appellant.

Brad D. Levinson, Deputy Attorney General, argued for Respondent.

Ms. Levine replied.

Cause submitted.

S004725 People, Respondent

v.

Royal Kenneth Hayes, Appellant

Cause called. Eric Multhaup argued for Appellant.

Raymond Brosterhous, Deputy Attorney General, argued for Respondent.

Mr. Multhaup replied.

The court orders that each party is permitted to file a letter brief on or before September 29, 1999, directed to the issue whether the trial court erred under the circumstances in not conducting an evidentiary hearing with testimony from live witnesses on the motion for new trial. The cause shall be submitted as of September 29, 1999.

Court adjourned.

S004725 People, Respondent

v.

Royal Kenneth Hayes, Appellant

Each party is permitted to file a letter brief on or before September 29, 1999, directed to the issue whether the trial court erred under the circumstances in not conducting an evidentiary hearing with testimony from live witnesses on the motion for new trial. The cause shall be submitted as of September 29, 1999.

S014200 People, Respondent

v.

Jon Scott Dunkle, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 8, 1999.

S029301 People, Respondent

v.

James David Tulk, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including October 18, 1999.

No further extensions of time are contemplated.

S032509 People, Respondent

v.

Erik Sanford Chatman, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 15, 1999.

S042224 People, Respondent

v.

Tomas Verano Cruz, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including November 1, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S042346 People, Respondent

v.

Bryan Maurice Jones, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 29, 1999, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

**SUPREME COURT CALENDAR  
LOS ANGELES SESSION  
OCTOBER 13 and 14, 1999**

*[First Amended]*

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on October 13 and 14, 1999.

WEDNESDAY, OCTOBER 13, 1999 - 9:00 A.M.

S063612	Sharon P. v. Arman Limited
S062266	People v. Martinez
S070599	Samuels v. Mix

2:00 P.M.

S074519	Wilcox v. Birtwhistle
S075090	People v. Thomas
S006547	People v. David Joseph Carpenter <i>[Automatic Appeal]</i>

THURSDAY, OCTOBER 14, 1999 – 9:00 A.M.

S076454	Peatros v. Bank of America <i>(Baxter, J., and Chin, J., not participating; Haning, J. and Huffman, J. assigned Justices Pro Tempore.)</i>
S021331	People v. Curtis Lee Ervin <i>[Automatic Appeal]</i>

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GEORGE  
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.

